

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Supplementary Budget Estimates 2016 - 2017

Agency - Fair Work Building and Construction

Department of Employment Question No. EMSQ16-000824

Senator Cameron provided in writing.

Question

FWBC - Human Resources Management

1. How many APS Code of Conduct investigations were conducted by FWBC in 2015-16.
2. How many of those investigations have been completed?
3. How many are ongoing?
4. What were the reasons for the Code of Conduct Investigations?
5. What were/are the APS classification/s of the employees the subject of the code of conduct investigations?
6. How many of those Code of Conduct investigations resulted in:
 - a. The employee having their employment terminated?
 - b. The employee agreeing to resign?
 - c. The imposition of a penalty other than termination? Please provide details of penalties imposed.
7. Please provide the same information requested in 4 above for the period 1 July 2016 to 30 October 2016.
8. How many proceedings are presently ongoing in any jurisdiction in which FWBC or an officer of FWBC is a respondent and the matter relates to the agency's human resources function, staff discipline and the like?
9. Has the matter before the Federal Circuit Court in which Susan Haslam was the applicant been settled? Did the settlement require that Ms Haslam agree to resign?
10. Has the matter before the Federal Circuit Court in which Brendan Ritson is the applicant been settled? If not, what is the status of that proceeding? Has Mr Ritson made any further applications in any jurisdiction in which FWBC or an officer of FWBC is the respondent? If so, what is the nature of those applications and what is their status?

Answer

1. Two
2. One
3. One
4. The type of conduct investigated was:
 - S13 (1) When acting in the course of APS employment treat everyone with respect and courtesy, and without harassment
 - S13(11) At all times behave in a way that upholds the APS values and APS Employment Principles, and the integrity and good reputation of the employee's Agency and the APS
5. 2 x EL 1
6.
 - a. Nil
 - b. Nil
 - c. Nil

7. There is one investigation ongoing in 2016/17 and the type of conduct under investigation is:
 - Failing to behave:
 - S13(1) of the Code - Honestly and with integrity in the course of APS employment
 - S13(11) of the Code - At all times in a way that upholds:
 - the APS Values and Employment Principles, and
 - the integrity and good reputation of the employee's Agency and the APS
8. One.
9. Yes. The former employee resigned following settlement.
10.
 - a. No.
 - b. Hearing occurred on 31 October and 1 November 2016, judgment reserved.
 - c. No. The court proceeding has commenced.
 - d. N/A.